# SIKKIM

## GOVERNMENT



### GAZETTE

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No. 99

# GOVERNMENT OF SIKKIM DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS, TRAINING & PUBLIC GRIEVANCES, GANGTOK-SIKKIM

No. 77 /GEN/DOP

#### NOTIFICATION

**DATED: 20/2/2015** 

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and in supersession of all previous rules made on the subject, the Governor of Sikkim hereby makes the following rules, namely:-

#### 1. Short title and commencement.-

- (1) These rules may be called the Sikkim State Subordinate Motor Vehicles Service Rules, 2015.
- (2) These rules shall come into force on the date of their publication in the Official Gazette.
- 2. **Definition**.- in these rules, unless the context otherwise requires,-
  - (a) "Appointed day" means the day and date from which the provisions of these rules come into force:
  - (b) "Cadre post" means any of the posts specified under column 2 of Schedule I;
  - (c) "Commission" means the Sikkim Public Service Commission;
  - (d) "Government" means the Government of Sikkim;
  - (e) "Governor" means the Governor of Sikkim;
  - (f) "Schedule" means the Schedule appended to these Rules;
  - (g) "Service" means the Sikkim State Subordinate Motor Vehicles Service;
  - (h) "Year" means the financial year commencing on the 1st day of April and ending on the 31st day of March next following.

#### 3. Constitution of Service.

- (1) There shall be constituted a service called Sikkim State Subordinate Motor Vehicles Service.
- (2) The service shall consist of posts in different grades as indicated in the schedule.
- (3) The authorised strength of cadre posts and the scale of pay of each cadre post shall be as indicated in Schedule I at the appointed day and shall be as determined by the Governor from time to time.

#### 4 Initial constitution of Service.-

- (1) In its initial constitution, persons holding posts as included in Schedule I shall be deemed to have been appointed to the Service from the appointed day, Provided that such persons who are not interested to be appointed to the service at its initial constitution shall, within 30 (thirty) days from the appointed day, convey his/her intention to the Government in writing opting out of the service. Option once exercised shall be final.
- (2) Those persons who opt out of the service may continue in their present post till such time, not exceeding 6 (six) months and they may be adjusted elsewhere by the Government at its discretion.

#### Method of recruitment to the Service.-

Recruitment and appointment to the cadre posts shall, after the appointed day, be made by the methods specified in Schedule II.

#### 6. Direct recruitment.-

All direct recruitment to the cadre posts shall be made on the recommendation of the Selection Committee, as may be constituted by the Government by separate Notifications for the posts of other Departments of the equivalent grade and the posts specified in Schedule I.

#### Promotion from one cadre post to another.-

- (1) The Selection Committee constituted under rule 6 shall be the Selection Committee for the purpose of this rule.
- (2) Whenever there falls a vacancy of a cadre post, the annual confidential report for the period prescribed as the qualifying years for consideration for promotion, along with other service records and annual property returns shall be placed before the Selection Committee.
- (3) The Selection Committee shall prepare a final list of persons who are found to be suitable for promotion on an overall relative assessment of the annual confidential reports, annual property returns and service records.
- (4) The number of persons to be included in the final list shall not exceed twice the number of vacancies to be filled.
- (5) The final list shall ordinarily be in force for a period of 12 (twelve) months from the date of recommendation of the Selection Committee.

#### 8. Probation.-

- (1) Every person recruited to any cadre post through direct recruitment shall be appointed to the service on probation for a period of 2 (two) years.
- (2) Every person promoted to a cadre post by promotion shall be on probation for a period of 1(one) year.
- (3) The Government may, if it so thinks fit in any case or class of cases, extend the period of probation by a period not exceeding two years.

#### 9. Discharge of a person on probation.-

A person recruited by the direct recruitment or promoted to a cadre post on probation shall be liable to be discharged from service or, as the case may be, reverted to his substantive post if-

- (a) the Government is satisfied that the person was ineligible for recruitment to the post or is unsuitable for holding the said post, or
- (b) he fails to pass Departmental Examination,
- (c) he is found lacking in qualities of mind and character needed for the post or Service or in the constructive outlook and human sympathy needed in the public service generally or,
- (d) he fails to comply with any of the provisions of these Rules.
- 10. <u>Confirmation</u>.- Where a probationer has completed his period of probation to the satisfaction of the Government, he shall, subject to other provisions of these rules, be confirmed in the service at the end of his period of probation.
- Seniority.- Seniority of the persons appointed to various cadre posts shall be determined in accordance with the provisions contained in Rule 8, of the Sikkim Government Establishment Rules, 1974.

#### 12. Administrative Control.-

- (1) The administrative control over the service including appointment, transfer and deputation shall vest with Department of Personnel, Administrative Reforms and Training
- (2) The headquarter of member of the service shall not be changed without the prior concurrence of the Department of Personnel, Administrative Reforms and Training.
- (3) A member of the service shall not be transferred outside the service or under any other Department or organisation save with the concurrence of the Department of Personnel, Administrative Reforms and Training both for the transfer and for the terms and conditions proposed or stipulated for such transfer.
- 13. <u>Residuary matters</u>.- All other matters in relation to the service specified or for which no provision has been made in these rules shall be regulated by rules and orders applicable to other persons of the Government of equivalent status.
- 14. <u>Interpretation</u>.- If any question arises as to the interpretation of these rules, the decision of the Government thereon shall be final.
- 15. Power to relax.- Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or cadre posts.

  By order and in the name of the Governor.

(K. Chettri), IAS
COMMISSIONER-CUM-SECRETARY
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS,
TRAINING AND PUBLIC GRIEVANCES.

SCHEDULE I
STRENGTH AND COMPOSITION OF THE CADRE POSTS

SI. No.	Designation of posts	Sanctioned strength
1	Duty Posts	
	(a) Constable	16
	(b) Head Constable	06
	(c) Assistant Motor Vehicles Inspector	03
	(d) Motor Vehicles Inspector( Technical )	08
	(e) Motor Vehicles Inspector ( Enforcement )	04
	Total Sanctioned Strength	37
2	Deputation Reserve (20 % of 37)	7
3	Training Reserve ( 15 % of 37)	5
4	Leave Reserve ( 5 % of 37 )	2
	Total Authorised Strength	51

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				NO. S.L.
Motor Vehicle Inspector (Enforcement)	Assistant Motor Vehicle Inspector	Head Constable	Constable	NAME OF POST
4	ω	6	16	POSTS
Group C	dọ	-do-	Group D	CLASSI - FICATION
PB-2 ₹ 9300- 34800	-do-	-do-	PB-1 ₹ 5200- 20200	BAND
₹ 3800	₹ 3400	₹3000	₹ 2300	GRADE PAY
-do-	-do-	100% by promotion	100% by direct recruitment	METHOD OF RECRUIT- MENT
-do-	-do-	Not applicable	Age between 18 years and 30 years (upper age limit relaxable by 5 (five) years in case of Bhutia, Lepcha/schedule caste/schedule tribe candidates and by 4 (four) years in the case of other backward classes ( central list ) and 3 (three) years for other backward classas ( State list ) candidates	AGE
-do-	-do-	Not applicable	Must have passed Secondary School examination from a recognised Board	EDUCA- TIONAL QUALIFI- CATION
-do-	ф	Not applicable	1 year	PERIOD OF PROBA- TION
Must have completed not less than 6(six) years of service as Assistant Motor Vehicle Inspector subject to availability of posts.	Must have completed not less than 8(eight) years of service as Head Constable subject to availability of posts.	8 (eight ) years of service as constable	Not applicable	IN CASE OF RECRUIT- MENT BY PROMOTION /DEPUTATION / TRANSFER, GRADE POST FROM WHICH PROMOTION / DEPUTA TION / TRANSFER TO BE MADE

-5-

Not applicable
1 year
(1) Must have passed biploma in Automobile Engineering 3 (three) years or a Diploma in Mechanical Engineering 3(three) years from a recognised institute or Board. (2) Must have experience of having worked for a period of not less than 1 (one) year, both on vehicles fitted with petrol engines and vehicles fitted with diesel engines on a full time basis in an Automobile workshop which undertakes repairs of light motor vehicles, heavy goods vehicles and heavy passenger motor vehicles.
Age between 18 years and 30 years (upper age limit relaxable by 5 (five) years in case of Bhutia, Lepcha/schedule caste/schedule tribe candidates and by 4 (four) years in the case of other backward classes (central list) and 3 (three) years for other backward classes (State list) candidates
direct recruitment
3800
₹ 9300- 34800
Group C
- σο
Motor Vehicle Inspector (Technical)
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